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Corporation; Polo Retail, LLC; Polo Ralph Lauren  
16 Corporation, doing business in California as Polo Retail  
Corporation; and Fashions Outlet of America, Inc.  
17

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 ANN OTSUKA, an individual; JANIS KEEFE,  
an individual; CORINNE PHIPPS, and  
21 individual; JUSTIN KISER, an individual; and  
RENEE DAVIS, an individual on behalf of all  
22 others similarly situated,

23 Plaintiffs,

24 v.

25 POLO RALPH LAUREN CORPORATION, a  
Delaware Corporation; et al.,

26 Defendants.

27 AND RELATED CROSS-ACTIONS.  
28

Case No. C07-02780 SI

STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE HEARING  
DATES FOR THE MOTION TO DISMISS  
SECOND AMENDED COMPLAINT AND  
RE CASE MANAGEMENT CONFERENCE

Current Date: January 18, 2008  
Proposed Date: January 25, 2008  
Time: 9:00 a.m.  
Dept: Courtroom 10, 19<sup>th</sup> Fl.  
Judge: Hon. Susan Illston

1 Plaintiffs Ann Otsuka Janis Keefe, Corinne Phipps, Justin Kiser and Renee Davis  
2 (collectively "Plaintiffs") and Defendants Polo Ralph Lauren Corporation, Polo Retail, LLC,  
3 Polo Ralph Lauren Corporation, Polo Retail Corporation, and Fashions Outlet of America, Inc.  
4 (collectively "Defendants"), by and through their respective counsel, hereby agree as follows:

5 The parties request that the hearing regarding Defendants' Motion to Dismiss Second  
6 Amended Complaint, presently scheduled for January 18, 2008 at 9:00 a.m. and the Case  
7 Management Conference, presently scheduled for January 18, 2008 at 2:00 p.m. be continued  
8 to January 25, 2008 at 9:00 a.m. and 2:00 p.m., respectively.

9 In an effort to move this litigation forward, the parties are engaged in the exchange of  
10 discovery including the conducting of depositions. By mutual agreement, the parties presently  
11 have scheduled depositions of witnesses in the State of New York for January 16 -18, 2008.

12 Due to the scheduling of these depositions, the parties are unable to attend the hearing  
13 regarding Defendants' Motion to Dismiss Second Amended Complaint and Case Management  
14 Conference as presently scheduled.

15 Furthermore, the scheduling demands of defense counsel preclude hearing dates  
16 scheduled for the month of February. William J. Goines, lead defense counsel for Defendants,  
17 will be out of the country February 12 - 28, 2008.

18 The determination of Defendants' Motion, which seeks to dismiss the majority of the  
19 claims brought forth by new Plaintiff, Renee Davis, also necessitates a hearing date in January.

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1 For the foregoing reasons, the parties stipulate and agree to a continuance to January 25,  
2 2008 at 9:00 a.m. for a hearing on Defendants' Motion to Dismiss and at 2:00 p.m. for a Case  
3 Management Hearing.

4  
5 IT IS SO STIPULATED.

6  
7 Dated: January 9, 2008

GREENBERG TRAURIG, LLP

8  
9 By: /s/ William J. Goines

William J. Goines

Jeremy A. Meier

10 Alisha M. Louie

11 Attorneys for Defendants Polo Ralph Lauren  
12 Corporation; Polo Retail, LLC; Polo Ralph  
13 Lauren Corporation, doing business in  
California as Polo Retail Corporation; and  
Fashions Outlet of America, Inc

14  
15 Dated: January 9, 2008

THE LAW OFFICE OF PATRICK R.  
KITCHIN

16  
17 By: /s/ Patrick R. Kitchin

18 Patrick R. Kitchin

19  
20 Attorney for Janis Keefe, Corinne Phipps,  
Justin Kiser and Renee Davis

21  
22 Dated: January 9, 2008

THE LAW OFFICES OF DANIEL FEDER

23  
24 By: /s/ Daniel Feder

25 Daniel Feder

26 Attorney for Ann Otsuka

[PROPOSED] ORDER

IT IS HEREBY ORDERED:

1. The hearing on Plaintiffs' Motion to Dismiss Second Amended Complaint is continued until January 25, 2008 at 9:00 a.m.

2. The Case Management Conference hearing is continued until January 25, 2008 at 2:00 p.m. The parties shall file a Joint Case Management Statement on January 21, 2008.

U.S. District Court Judge  
Honorable Susan Illston

ATTESTATION CLAUSE

I, William J. Goines, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Continue Hearing Dates for the Motion to Dismiss Second Amended Complaint and Re Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Patrick R. Kitchen and Daniel Feder have concurred in this filing.

Date: January 9, 2008

GREENBERG TRAURIG LLP

By: /s/ Willaim J. Goines

Willaim J. Goines